See Macdiarmid's Brit. Statesman — Straffen [illegible] by Aiken — Life of Selden p 381

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# DEPOSITIONS AND ARTICLES AGAINST THOMAS EARLE OF STRAFFORD,

*Febr* 16. 1640.

Printed in the yeare 1640.

# DEPOSITIONS

AND

ARTICLES

AGAINST

# THOMAS

EARLE OF

# STRAFFORD,

16. 16$\frac{4}{0}$.

Printed in the Yeare 16$\frac{4}{0}$.

# ARTICLES OF the Commons assembled in Parliament, against *Thomas*, Earle of STRAFFORD, in maintenance of their accusation, whereby he stands charged of high Treason.

I.

THat he the said *Thomas* Earle of Strafford, hath traiterously endeavoured to subvert the fundamentall lawes and government of the Realmes of England and Ireland, and instead thereof to introduce an arbitrary and tyrannicall Government against law, which he hath declar'd by traterous words counsels, & actions, & by giving his Majesty advice, by force of armes to compell

his loyall ſubjects to ſubmit thereunto.

II.

That he hath traiterouſly aſſumed to himſelfe Regall power over the lives, liberties, perſons, lands and goods of his Majeſties ſubjects in England and Ireland, and hath exerciſed the ſame tyrannically, to the ſubverſion and undoing of many both of Peeres and other of his Majeſties liege people.

III.

That the better to enrich and enable himſelfe to goe through with his traiterous deſignes, he hath detained a great part of his Majeſties revenue, without giving legall account; and hath taken great ſums out of the Exchequer, converting them to his owne uſe, when his Majeſty was neceſſitated for his owne urgent occaſions, and his Army had beene a long time unpaid.

IV.

That he hath traiterouſly abuſed the power & authority of his government, to the increaſing, countenancing and encouraging of Papiſts, that ſo he might ſettle a mutuall dependance & confidence betwixt himſelfe and that party, and by their help proſecute and accompliſh his malicious and tyrannicall deſignes.

V. That

V.

That he hath maliciouſly endevoured to ſtirre up enmity and hoſtility between his Majeſties ſubjects of England, and thoſe of Scotland.

VI.

That he hath traiterouſly broken the great truſt repoſed in him by his Majeſty, of Lieutenant generall of his Army, by wilfully betraying divers of his Majeſties ſubjects to death, his Army to a diſhonourable defeat by the Scots at Newborn, and the Towne of New-Caſtle into their hands, to the end, that by the effuſion of bloud, by diſhonour, and ſo great a loſſe of New-Caſtle, his Majeſties Realme of England might be engaged in a Nationall and irreconciliable quarrell with the Scots.

VII.

That to preſerve himſelfe from being queſtioned for theſe and other his traiterous courſes, hee laboured to ſubvert the rights of Parliaments, and the ancient courſe of Parliamentary proceedings, and by falſe and malicious ſlanders to incenſe his Majeſty againſt Parliaments. By which words, counſels, and actions, hee hath traiterouſly, and con-

trary to his Allegiance laboured to alienate the hearts of the Kings liege people from his Majesty, to set a division betweene them, and to ruine and destroy his Majesties Kingdomes, for which they impeach him of high Treason against our Soveraigne Lord the King, his Crowne and dignity.

VIII.

And he the said Earle of Strafford was Lord Deputy of Ireland, and Lieutenant generall of the Army there, viz. His most excellent Majesty for his Kingdoms, both of England and Ireland, and the L. President of the North, during the time that all and every the crimes and offences before set forth, were done and committed, and he the said Earle was Lieutenant generall of all his Majesties Army in the North parts of England, during the time that the crimes and offences in the 5, and 6 articles set forth, were done and committed.

IX.

And the said Commons by protestations, saving to themselves the liberty of exhibiting at any time hereafter any other accusation or impeachment against the said Earle, and also of replying to the answers that he the said Earle shall make unto

unto the ſaid Articles, or to any oft hem, and of offer ing proves alſo of the premiſſes,or any of them, or any other impeachment or accuſation that ſhall be exhibited by them, as the cauſe ſhall according to the courſe of Parliaments require, doe pray that the ſaid Earle may be put to anſwer for all and every the premiſſes, that ſuch proceedings, examinations, tryals, and Judgements may bee upon every of them had and uſed, as is agreeable to law and Juſtice.

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# The further impeachment of Thomas, Earle of Strafford, by the Commons assembled in Parliament:

## 1640.

WHereas the said Commons have already exhibited articles against the said Earle, formerly expressed, &c. Now the said Commons do further impeach the said Earle as followeth, &c.

I.

That he the said Earle of Strafford the 21 day of March, in the 8 yeere of his now Majesties Reigne, was president of the Kings counsell in the Northerne parts of England.

That he the said Earle being President of

the ſaid Counceil on the 21. day of March, a Commiſſion under the great Seale of England, with certaine Schedules of inſtructions thereto annexed, was directed to the ſaid Earle, or others the Commiſſioners therein named, whereby amongſt other things, power and authority is limited to the ſaid Earle, and others the Commiſſioners therein named, to heare and determine all offences and miſdemeanours, ſuits, debates, controverſies and demands, cauſes, things, and matters whatſoever therein contained, and within certain precincts in the ſaid Northern parts therein ſpecified, and in ſuch manner as by the ſaid Schedule is limited and appointed.

That amongſt other things in the ſaid Inſtructions, it is directed that the ſaid President and others therein appointed, ſhall heare and determine according to the courſe of proceedings in the Court of Starchamber, divers offences, deceits and falſities therein mentioned, whether the ſame be provided for by the Acts of Parliament, or not, ſo that the Fines impoſed be not leſſe then by Act or Acts of Parliament provided for by thoſe offences is appointed.

That alſo amongſt other things in the ſaid Inſtructions, it is directed that the ſaid Preſi-

dent

dent, and others therein appointed, have power to examine, heare and determine according to the course of proceedings in the Court of Chancery, all manner of complaints for any matter within the said Precincts, as well concerning lands, tenements, and hereditaments, either Freehold, Customary, or Copy-hold, as Leases, and other things therein mentioned, and to stay proceedings in the Court of Common-Law by injunction, or otherwise, by all wayes and meanes as is used in the Court of Chancery.

And although the former Presidents of the said Councell had never put in practice such Instructions, nor had they any such Instructions, yet the said Earle in the moneth of May, in the said 8. yeare, and divers yeares following, did put in practice, exercise, and use, and caused to be used and put in practice the said Commission and Instructions, and did direct and exercise an exorbitant and unlawful power and jurisdiction on the persons and estates of his Majesties subjects in those parts, and did dis-inherit divers of his Majesties subjects in those parts of their inheritances, sequestred their possessions, & did fine, ransome, punish and imprison them, and caused them to be fined, ransomed, punished and imprisoned, to their ruine & destruction,

and namely, Sir *Conier's Darcy*, Sir *John Bourcher*, and divers others, againſt the Lawes, and in ſubverſion of the ſame. And the ſaid Commiſſion and Inſtructions were procured and iſſued by the advice of the ſaid Earle.

And he the ſaid Earle, to the intent that ſuch illegall and unjuſt power might be exerciſed with the greater licenſe and will, did adviſe, counſell, and procure further directions, in and by the ſaid Inſtructions to be given, that no prohibition be granted at all, but in caſes where the ſaid Counſell ſhall exceed the limits of the ſaid inſtructions: And that if any Writ of *Habeas Corpus* be granted, the party be not diſcharged till the party performe the Decree and Order of the ſaid Counſell.

And the ſaid Earle in the 13. yeare of his now Majeſties reigne, did procure a new Commiſſion to himſelfe and others therein appointed, with the ſaid Inſtructions, and other unlawfull additions.

That the ſaid Commiſſion and Inſtructions were procured by the ſolicitation and advice of the ſaid Earle of Strafford.

II.

That ſhortly after the obtaining of the ſaid Commiſſion dated the 21 of March, in the 8. yeare

yeare of his now Majeſties reigne (to wit) the laſt day of Auguſt then next following, hee the ſaid Earle (to bring his Majeſties liege people into a diſlike of his Majeſtie and of his Government, and to terrifie the Juſtices of the Peace from executing of the Lawes: he, the ſaid Earle, being then Preſident, as aforeſaid, and a Juſtice of Peace) did publikely at the Aſſiſes held for the County of *Yorke* in the City of *Yorke*, in and upon the ſaid laſt day of Auguſt, declare and publiſh before the people there attending for the adminiſtration of Juſtice according to the Law, and in the preſence of the Juſtices ſitting, *that ſome of the Iuſtices were all for Law, but they ſhould finde that the Kings little finger ſhould be heavier than the loynes of the Law.*

III.

That the Realme of Ireland having beene time out of minde annexed to the Imperiall Crowne of this his Majeſties Realme of England, and governed by the ſame Lawes: the ſaid Earle being Lord Deputy of that Realme, to bring his Majeſties liege people of that Kingdome likewiſe into diſlike of his Majeſties government, and intending the ſubverſion of the fundamentall Lawes and ſetled government

of that Realme; and the diſtraction of his Majeſties liege people, there did upon the 30. day of September, in the ninth yeare of his now Majeſties reigne, in the City of *Dublin* (the chiefe City of that Kingdome, where his Majeſties Privie Counſell, and Courts of Juſtice doe ordinarily reſide, and whither the Nobility and Gentry of that Realme doe uſually reſort for Juſtice) in a publike Speech before divers of the Nobility and Gentry, and before the Maior, Aldermen, and Recorder, and many Citizens of *Dublin*, and other his Majeſties liege people, declare and publiſh, that *Ireland was a conquered Nation, and that the King might doe with them what hee pleaſed*, and ſpeaking of the Charters of the former Kings of England made to that City, hee further ſaid, that *their Charters were nothing worth, and did binde the King no further then he pleaſed.*

IV.

That *Richard* Earle of Corke having ſued out proceſſe in courſe of Law for recovery of his poſſeſſions, from which hee was put by colour of an order made by the ſaid Earle of Strafford, and the Counſell Table of the ſaid Realme of Ireland. The ſaid Earle of Strafford upon a paper petition without legall proceedings, did the 20. day of February

bruary, in the 11. yeare of his now Majeſties reigne, threaten the ſaid Earle of Corke (being then a Peere of the ſaid Realme) to impriſon him, unleſſe he would ſurceaſe his ſuit, and ſaid, *That hee would have neither Law nor Lawyers diſpute or queſtion any of his orders.* And the 20. day of March, in the ſaid 11. yeare, the ſaid Earle of Strafford ſpeaking of an order of the ſaid Counſell Table of that Realme, made in the time of King *Iames*, which concerned a Leaſe which the ſaid Earle of Corke claimed in certaine rectories or tithes which the ſaid Earle of Corke alleaged to bee of no force, ſaid, *That hee would make the ſaid Earle and all Ireland know, ſo long as he had the Government there, any act of State, there made, or to be made, ſhould be as binding to the ſubjects of that Kingdome, as an Act of Parliament*: And did queſtion the ſaid Earle of Corke in the Caſtle Chamber, upon pretence of breach of the ſaid order of Counſell Table, and did ſundry other times, and upon ſundry other occaſions, by his words and ſpeeches arrogate to himſelfe a power above the fundamentall Lawes, and eſtabliſhed government of that Kingdome, and ſcorned the ſaid Lawes and eſtabliſhed Government.

V. That

V.

That according to ſuch his declarations and ſpeeches, the ſaid Earle of Strafford did uſe and exerciſe a power above, and againſt, and to the ſubverſion of the ſaid fundamentall lawes, and ſtabliſhed government of the ſaid Realme of Ireland, extending ſuch his power to the goods, free-holds, inheritances, liberties, and lives of his Majeſties Subjects of the ſaid Realme, viz. The ſaid Earle of Strafford the 12. day of Decemb. Anno Dom. 1635. in the time of full peace, did in the ſaid Realme of Ireland, give and procure to bee given againſt the Lord Mount-Norris (then and yet a Peere of Ireland, and then Vice-Treaſurer and receiver generall of the Realme of Ireland, and one of the principall Secretaries of State, and Keeper of the Privy Signet of the ſaid Kingdome, a ſentence of death by a Councell of warre called together by the ſaid Earle of Strafford, without any warrant or authority of law, or offence deſerving any ſuch puniſhment. And hee the ſaid Earle did alſo at Dublin within the ſaid Realme of Ireland, in the moneth of March, in the 14 yeare of his Majeſties Reigne without any legall or due proceedings or tryall, give or cauſe to bee given, a ſentence of death againſt one other of his

Majeſties

Majeſties ſubjects, whoſe name is yet unknowne, and cauſed him to be put to death in execution of the ſaid ſentence.

VI.

That the ſaid Earle of *Strafford* without any legall proceedings and upon a paper petition of *Richard Ralſtone*, did cauſe the ſaid Lord *Mount-Norris* to be diſſeized & put out of poſſeſſion of his freehold and inheritance of his Mannor of Tymore in the County of *Armagh*, in the Kingdome of *Ireland*, the ſaid Lord *Mount-Norris* having been two yeares before in quiet poſſeſſion thereof.

VII.

That the ſaid Earle of *Strafford* in the Terme of Holy Trinity, in the 13. yeare of his now *Majeſties* Reigne, did cauſe a caſe commonly called *the caſe of Tenures upon defective titles* to be made and drawne up without any jury or tryall, or other legall proces, and without the conſent of parties, and did then procure the Judges of the ſaid Realme of *Ireland* to deliver their opinions and reſolutions to that caſe, and by colour of ſuch opinion did without any legall proceeding, cauſe *Thomas* Lord Dillon, a Peere of the ſaid Realme of *Ireland*, to be put out of

poſſeſſion of divers Lands and Tenements, being his free-hold in the County of *Mago* and *Roſecomen*, in the ſaid Kingdome, and divers others of his *Majeſties* ſubjects to be alſo put out of poſſeſſion, and diſſeiſed of their freehold by colour of the ſame reſolution, without legall proceedings, whereby many hundreds of his *Majeſties* ſubjects were undone, and their families utterly ruined.

VIII.

That the ſaid Earle of *Strafford* upon a petition of Sir *John Gifford* Knight, the firſt day of February, in the ſaid 13. year of his Majeſties Reigne, without any legall proceſſe, made a decree or order againſt *Adam* Viſcount Loſts of Elie, a Peere of the ſaid Realme of *Ireland*, and Lord *Chancellor of Ireland*, and did cauſe the ſaid *Viſcount* to be impriſoned and kept cloſe Priſoner, on pretence of diſobedience to the ſaid decree or order.

And the ſaid Earle without any authority, and contrary to his Commiſſion, required and commanded the ſaid Lord Viſcount to yeeld unto him the great Seale of the Realme of *Ireland*, which was then in his cuſtody, by his Majeſties command, and

and impriſoned the ſaid Chancellor for not obeying ſuch his command.

And without any legall proceedings, did in the ſame thirteenth yeare impriſon *George* Earle of *Kildare*, a Peere of Ireland, againſt law, thereby to enforce him to ſubmit his title to the Mannor and Lordſhip of *Caſtle Leigh*, *in the Queenes County*, ( being of great yearly value ) to the ſaid Earle of *Straffords* will and pleaſure, and kept him a yeare Priſoner, for the ſaid cauſe two months whereof hee kept him cloſe Priſoner, and refuſed to enlarge him, notwithſtanding his Majeſties letters for his enlargment to the ſaid Earle of *Strafford* directed.

And upon a Petition exhibited in October, 1635. by *Thomas Hibbots*, againſt dame *Mary Hibbots* widdow, to him the ſaid Earle *of Strafford*, the ſaid Earle of Strafford recommended the ſaid Petition to the Counſell Table of Ireland, where the moſt part of the Counſell gave their *vote and opinion* for the ſaid Lady, but the ſaid Earle finding fault herewith, cauſed an order to be entred againſt the ſaid Lady, and threatned her, that if ſhe refuſed to ſubmit thereunto, he would impriſon her,

and fine her five hundred pound, that if she continued obstinate, he would continue her imprisonment, and double her fine every month by month, wherof she was enforced to relinquish her estate in the land questioned in the said petition, which shortly was conveyed to Sir *Robert Meredith*, to the use of the said Earle of *Strafford*.

And the said Earle in like manner did imprison divers others of his Majesties subjects, upon pretence of disobedience to his orders and decrees, and other illegall commands by him made for pretended debts, titles of lands, and other causes in an arbitrary and extrajudiciall course, upon paper petitions to him preferred, and no other cause legally depending.

## IX.

That the said Earle of *Strafford* the sixteenth day of *Febr.* in the 12. *yeare* of his now *Majesties* Reign, assuming to himself a power above and against law, tooke upon him by a generall Warrant under his hand to give power to the Lord Bishop of *Down* and *Connor* his *Chancellor*, *or Chancellors* and their severall Officers thereto to be appointed, to attach and arrest the bodies of

of all ſuch of the meaner and poorer ſort, where after citation ſhould either refuſe to appeare before them, or appearing ſhould omit, or denye to performe, or undergo all lawful *decrees*, *ſentences*, and *orders*, iſſued, impoſed or given out againſt them, and them to commit and keepe in the next Goale, untill they ſhould either performe ſuch *ſentences*, or put in ſufficient Baile to ſhew ſome reaſon before the Counſell table of ſuch their contempt and neglect; and the ſaid Earle the day and yeare laſt mentioned, ſigned and iſſued a Warrant to that effect, and made the like Warrant to ſend to all other Biſhops and their Chancellors, in the ſaid Realme of *Ireland*, to the ſame effect.

X.

That the ſaid Earle of *Straffordbeing* Lord Lieutenant, or Deputy of *Ireland*, procured the Cuſtomes of the Marchandizes exported out, and imported unto that Realme to be farmed to his owne uſe.

And in the ninth yeare of his now Majeſties Reigne, he having then intreſt in the ſaid Cuſtomes (to advance his owne gaine and lucre) did cauſe and procure the native

tive *commodities of Ireland*, to be rated in the *booke of Rates for the Cuſtomes* (according to which the *cuſtomes* were uſually gathered) at farre greater values and prices, then in truth they were worth; (*that is to ſay*) every hide at 20. ſhillings, which in truth was worth but five ſhillings, every ſtone of *Wooll* at thirteene ſhillings foure pence, though the ſame ordinarily were worth but five ſhillings, at the utmoſt but nine ſhillings; by which means the cuſtom which before was but a twentieth part of the true value of the *commodity*, was inhanced ſometimes to a fift part, and ſometimes to a fourth, and ſometimes to a third part of the true value, to the great *oppreſsion* of the ſubjects, and decay of Marchandize.

XI.

That the ſaid Earle in the ninth yeare of his now Majeſties raign, did by his own will and pleaſure, and for his owne lucre reſtraine the exportation of the *commodities* of that Kingdome without his licence, as namely *Pipe-ſtaves, and other commodities*, and then raiſed great ſummes of mony for licenſing of *exportation of thoſe commodities*, and diſpenſation of the ſaid reſtraints impoſed on them, by which means

the

the *Pipe-ſtaves* were raiſed from foure pound ten ſhillings, or 5 pound *per* thouſand to ten pound and ſometimes eleven pound *per* thouſand, and other *commodities were* inhanced in the like *proportion*, and by the ſame means by him the ſaid Earle.

XII.

That the ſaid Earle being *Lord Deputy of Ireland*, on the ninth day of *Ian.* in the thirteenth Yeare of his Majeſties Reigne, did then, under colour to regulate the *Importation of Tobacco into the ſaid Realme of Ireland*, iſſue a *Proclamation* in his Majeſties name, prohibiting the *Importation of Tobacco*, without Licence of him and the Counſell there, from and after the 1. day of *May*, *Anno Dom.* 1638. after which reſtraint, the ſaid Earle, notwithſtanding the ſaid reſtraint, cauſed divers great quantities of *Tobacco* to be imported to his owne uſe, and fraughted divers ſhips with *Tobacco*, which he imported to his owne uſe: and that if any ſhip brought *Tobacco* into any Port there, the ſaid Earle and his Agents uſed to buy the ſame to his owne uſe, at their own price. And if that the owners refuſed to let him have the ſame at under values, then they were not permitted to vent the ſame;

by

by which undue meanes the ſaid Earle having gotten the whole Trade of Tobacco into his owne hands, he ſold it at great and exceſſive prices, ſuch as he liſt to impoſe for his owne profit.

And the more to aſſure the ſaid *Monopoly of Tobacco*, he the ſaid Earle on the 23. day of February, in the thirteenth yeare aforeſaid, did iſſue another Proclamation, commanding that none ſhould put to ſale any *Tobacco* by whole ſale, from and after the laſt day of May then next following, but what ſhould bee made up into Rolls, and the ſame ſealed with two Seales by himſelfe appointed, one at each end of the Roll. And ſuch as was not ſealed to bee ſeized, appointing ſixe pence the pound for a reward to ſuch perſons as ſhould ſeize the ſame: and the perſons in whoſe cuſtody the unſealed *Tobacco* ſhould be found to be committed to Goale, which laſt *Proclamation* was covered by a pretence of the reſtraining of the ſale of unwholeſome *Tobacco*, but it was truely to advance the ſaid *Monopoly*.

Which *Proclamation* the ſaid Earle did rigorouſly put in execution, by ſeizing the goods, fining, impriſoning, whipping, and putting the offendors againſt the ſame Proclamation

clamation on the pillory, as namely, *Barnaby Hubbard*, *Edward Covena*, *John Tumen*, and divers others: & made the Officers of State and Juſtices of Peace, and other Officers to ſerve him in compaſſing and executing theſe unjuſt and undue courſes. By which cruelties and unjuſt Monopolies, the ſaid Earle raiſed 100000. pounds *per annum* gaine to himſelfe. And yet the ſaid Earle, though he inhanced the Cuſtomes, where it concerned the Merchants in generall, yet drew downe the impoſt formerly taken on Tobacco, from ſix pence the pound to 3. pence the pound, it being for his owne profit ſo to doe. And the ſaid Earle, by the ſame, and other rigorous and undue meanes, raiſed ſeverall other Monopolies and unlawfull exactions for his owne gaine, *viz.* on Starch, Iron pots, Glaſſes, Tobacco pipes, and ſeverall other commodities.

## XIII:

That Flax being one of the principall and native Commodities of that Kingdome of *Ireland*, the ſaid Earle having gotten great quantities thereof into his hands, and growing on his owne Lands, did iſſue out ſeverall Proclamations, *viz.* one dated the one and twentieth day of May, in the eleventh of his Ma-

Majeſties raign, and the orher dated the one aud thirtieth of *Ianuary* in the ſame yeare, thereby preſcribing anp enjoyning the working of Flax into Yarne aud Thread, and the ordering of the ſame in ſuch waies, wherein the Natives of that Kingdome were unpractiſed and unskilfull: which Proclamations ſo iſſued, where, by his Commands and Warrants to his Majeſties Juſtices of Peace, and other Officers, and by other rigorous meanes put in execution, and the Flax wrought or ordered in other manner then as the ſaid Proclamation preſcribed, was ſeazed and employed ro the ure of him and his agents, and thereby the ſaid Earle endeavoured to gain, and did gaine in effect the ſole ſale of that native commodity.

## XIV.

That the ſaid Earle of *Strafford*, by Proclamation dated the ſixteenth day of *October*, in the fourteenth yeare of his Majeſties raigne, did impoſe vpon the Owners, Maſters, Purſers, and Boatſwaines of every ſhip, a new and unlawfull oath, *viz.* that they (two or more of them) immediately after the arrivall of any Ship within any Port or Creeke in the ſaid Kingdome of *Ireland*, ſhould give in a true invoyce of the outward bulke of

Wares

Wares and Merchandiſes, and number of goods, and the qualities and condition of the ſaid goods, as farre as to them ſhould be knowne, the names of the ſeverall Merchants proprietours of the ſaid goods, and the places from whence they were fraughted, and whither they were bound to diſcharge: which Proclamation was accordingly put in execution, and ſundry perſons enforced to take the ſaid unlawfull Oath.

## XV.

That the ſaid Earle of *Strafford* trayterouſly and wickedly deviſed and contrived by force of Armes in a warlike manner to ſubdue the Subjects of the ſaid Realme of *Ireland*, to bring them vnder his tyrannicall power and will, and in purſuance of his wicked and trayterous purpoſes aforeſaid, the ſaid Earle of Strafford in the eighth yeare of his Majeſties raigne, did by his owne authority, without any warrant or colour of Law, tax and impoſe great ſummes of money upon the Townes of *Baltemore*, *Baudenbridge*, *Talowe*, and divers other Townes and places in the ſaid Realme of *Ireland*, and did cauſe the ſame to be levied upon the Inhabitants of thoſe Townes by troopes of Souldiers, with force and armes, in a warlike man-

ner. And on the ninth day of March, in the twelfth yeare of his now Majesties raigne, trayterously did give authority unto *Robert Savile* a Serjeant at Armes, and to the Captaines of the companies of souldiers, in severall parts of that Realm, to send such numbers of Souldies to lye on the lands and houses of such as would not conforme to his orders, untill they should render obedience to his said orders & warrants, and after such submission (and not before) the said Souldiers to returne to their Garrisons. And did also issue the like warrants vnto divers others, which warrants were in warlike manner, with force and Armes put in execution accordingly, and by such warlike meanes did force divers of his Majesties subjects of that Realme to submit themselves to his unlawfull commands.

And in the said twelfth yeare of his Majesties raigne, the said Earle of *Strafford* did trayterously cause certaine troopes of horse and foote, armed in warlike manner, and in warlike array, with force and armes, to expell *Richard Butler* from the possession of *Castle-Cumber*, in the *Territory* of *Idough*, in the said Realme of *Ireland*, and did likewise and in like warlike manner, expell divers of his Majesties Subjects from their houses, families,

lies,

lies, and poſſeſſions, as namely *Edward Brenman*, *Owen Oberman*, *Patricke Oberman*, Sir *Cyprian Horsfield*, and divers others, to the number of about a hundred families, and tooke and impriſoned them and their wives, and carried them priſoners to *Dublin*, and there detained them untill they did yeeld up, ſurrender, or releaſe their reſpective eſtates and rights.

And the ſaid Earle, in like warlike manner, hath, during his government of the ſaid Kingdome of *Ireland*, ſubdued divers others of his Majeſties Subjects eaſe to his will, and thereby and by the meanes aforeſaid, hath levied Warre within the said Realme, againſt his Majeſty and his liege people of that Kingdome.

## XVI.

That the ſaid Earle of *Strafford*, the two and twentieth of *February*, in the ſeventh yeare of his now Majeſties raigne, intending to oppreſſe the ſaid Subjects of *Ireland*, did make a propoſition, and obtained from his Majeſty an allowance, that no complaint of injuſtice or oppreſſiō done in *Ireland*, ſhould be received in *England* againſt any, unleſſe it firſt appeared that the party made firſt his

addreſſe to him the ſaid Earle: and the ſaid Earle having by ſuch uſurped tyrannicall and exorbitant power, expreſſed in the former Articles, deſtroyed the Peeres and other ſubjects of that Kingdome of Ireland, in their lives, conſciences, land, liberties, and eſtates, the ſaid Earle to the intent the better to maintaine and ſtrengthen his power, and to bring the people into a diſaffection of his Majeſty, as aforeſaid, did uſe his Majeſties name in the execution of his ſaid power. And to prevent the ſubjects of that Realme of all means of complaints to his Majeſty, and of redreſſe againſt him and his agents, did iſſue a Proclamation bearing date the ſeventeenth day of September, in the eleventh yeare of his Majeſties reigne, thereby commanding all the Nobility, undertakers and others, who held eſtates and offices in the ſaid kingdome (except ſuch as were employed in his Majeſties ſervice, or attending in England by his ſpeciall command) to make their perſonall reſidence in the ſaid Kingdome of Ireland, and not to depart thence without licence of himſelfe. And the ſaid Earle hath ſince iſſued other Proclamations to the ſame purpoſe, by meanes whereof the ſubjects of the ſaid Realme are reſtrained from ſeeking reliefe againſt the oppreſſions of the ſaid Earle without his licence: which Proclamation the

ſaid

ſaid Earle hath by ſeverall rigorous wayes, as by fine, impriſonment, and otherwiſe, put in execution on his Maieſties ſubiects, as namely, one —— *Parry*, and others, who came over onely to complaine of the exorbitances and oppreſſions of the ſaid Earle.

## XVII.

That the ſaid Earle having by ſuch meanes as aforeſaid, ſubverted the government and lawes of the Kingdome of Ireland, did in March in the ſixteenth yeare of his Maieſties Reigne, in ſcandall of his Maieſty, of all his Kingdomes, and in further execution of his wicked purpoſes aforeſaid, ſpeaking of the Armies in Ireland, declare, that his Maieſty was ſo well pleaſed with the Army of Ireland, and the conſequence thereof, that his Maieſty would certainly make the ſame a patterne for all his three Kingdomes.

## XVIII:

That the ſaid Earle of Strafford, for the better effecting of his traytrous deſignes and wicked purpoſes, did endeavour to draw dependency upon himſelfe of the Papiſts in both Kingdomes of England and Ireland, and to that end during the time of his govern

ment

ment in *Ireland*, he reſtored divers Frieries and Maſſe-houſes (which had bin formerly ſuppreſſed by the precedent Deputies of that Kingdome, two of which houſes were in the City of *Dublin*, and had bin aſſigned to the uſe of the Univerſity there) to the pretended owners thereof, who have ſince imployed the ſame to the exerciſe of the Popiſh Religion.

And in the month of *May* and *June* laſt, the ſaid Earle did raiſe an Army in the ſaid Realme of *Ireland*, conſiſting of eight thouſand foot, all of which, except one thouſand or thereabouts, were Papiſts, and the ſaid one thouſand were drawne out of the old army there conſiſting of two thouſand foot, and in their places there were a thouſand Papiſts, or thereabouts, put into the ſaid old Army by the ſaid Earle.

And the more to ingage and tye the new Army of Papiſts to himſelfe, and to encourage them, and to diſcourage and weare out the old Army, the ſaid Earle did ſo provide, that the ſaid new Army of Papiſts were duly paid, and had all neceſſaries provided for them, and permitted the exerciſe of their Religion, but the ſaid old Army were for the ſpace of one whole yeare and upwards unpaid.

And

And that the ſaid Earle being appointed a Commiſsioner within eleven ſeverall Counties in the Northern parts of *England*, for compounding with Recuſants for their forfeitures due to his Majeſtie, which commiſsion beareth date the eight day of July in the fifth yeare of his Majeſties Reigne that now is, and being alſo receiver of the compoſition money thereby ariſing and of other debts, duties, and penalties for his Majeſties uſe, by Letters Patents, dated the ninth day of the ſaid Iuly: hee, to engage the ſaid Recuſants to him, did compound with them at lowe and under rates, and provided that they ſhould bee diſcharged of all proceedings againſt them, in all his Majeſties Courts, both temporall and eccleſiaſticall, in manifeſt breach of and contrary to the Lawes and Statutes of this Realme, in that behalfe eſtabliſhed.

XIX.

That the ſaid Earle having taxed and levied the ſaid impoſitions, and raiſed the ſaid Monopolies, and committed the ſaid oppreſsions in his Majeſties name, and as by his Majeſties Royall command, hee the ſaid Earle in May the fifteenth yeare of his

Majeſties Reigne, did of his owne authority contrive and frame a new and unuſuall oath, by the purport whereof among many other things; the party taking the ſaid oath, was to ſweare that hee ſhould not proteſt againſt any of his Majeſties Royall commands, but ſubmit themſelves in all obedience thereunto. Which oath he ſo contrived to enforce the ſame on the ſubjects of the Scottiſh Nation inhabiting in Ireland, and out of a hatred to the ſaid Nation, and to put them to a diſcontent with his Majeſtie and his government there, and compelled divers of his Majeſties ſaid ſubjects there to take the ſaid oath, ſome hee grievouſly fined and impriſoned, and others he deſtroyed and exiled, and namely, the 10. of October, *Anno Dom.* 1639. he fined *Henry Steward* and his wife, who refuſed to take the ſaid oath five thouſand pounds a peece, & their two daughters &c. *James Gray* three thouſand pounds a peece, and impriſoned them for not paying the ſaid fines. The ſaid *Henry Stewards* wife and daughters *& James Gray*, being the Kings liege people of the Scottiſh Nation, and divers others he uſed in the like manner; and the ſaid Earle upon that occaſion did declare, that the ſaid oath did not onely oblige them in point of allegiance

giance to his Maieſty, and acknowledgement of his Supremacy onely, but to the Ceremonies & government of the Church eſtabliſhed, or to be eſtabliſhed by his Maieſties royall Authority; and ſaid, that the refuſers to obey, he would proſecute to the blood.

## XX.

That the ſaid Earle in the 15. and 16. yeeres of his Maieſties reigne, and divers yeeres paſt, laboured and endeavoured to beget in his Majeſtie an ill opinion of his Subjects, namely, thoſe of the Scottiſh nation, and divers and ſundry times, and eſpecially ſince the pacification made by his Majeſty with his ſaid ſubjects of Scotland in ſummer, in the fifteenth yeere of his Majeſties reigne; he, the ſaid Earle did labour and endevour to perſwade, incite, and provoke his Majeſty to an offenſive warre againſt his ſaid ſubjects of the Scottiſh Nation: and the ſaid Earle, by his counſell, actions, and endevours, hath beene and is a principall and chiefe incendiary of the warre and diſcord betweene his Majeſty and his Subjects of England, and the ſaid Subjects of Scotland, and hath declared,

and adviſed his Majeſtie, that the demand made by the Scots in this Parliament were a ſufficient cauſe of warre againſt them. The ſaid Earle having formerly expreſſed the height & rancor of his minde towards his ſubjects of the Scottiſh Nation, viz. the tenth day of October, in the fifteenth yeare of his Majeſties reigne, hee ſaid that the Nation of the Scots were rebels, and traytors; and he being then about to come to England, he then further ſaid, that if it pleaſed his Maſter (meaning his Majeſtie) to ſend him backe againe, hee would roote out of the ſaid Kingdome (meaning the Kingdome of Ireland) the Scottiſh Nation both root and branch. Some Lords, and others who had taken the ſaid oath in the precedent Article onely excepted: and the ſaid Earle hath cauſed divers of the ſaid Ships and goods of the Scots to be ſtayed, ſeized, and moleſted, to the intent to ſet on the ſaid warre.

## XXI.

That the ſaid Earle of *Strafford*, ſhortly after his ſpeeches mentioned in the laſt precedent Article, to wit, in the fifteenth yeere of his Majeſties Raign, came into this Realme

Realme of England, and was made Lord Lievtenant of Ireland, and continued his governement of that Kingdome by a Deputy: At his arrivall here, finding that his Majeſty with much wiſedome and goodneſſe had compoſed the troubles in the North, and had made a pacification with his Subjects of Scotland; hee laboured by all meanes to procure his Majeſtie to breake that pacification, incenſing his Majeſty againſt his Subjects of that Kingdome, and the proceedings of the Parliament there. And having incenſed his Majeſtie to an offenſive warre againſt his ſaid Subjects of Scotland, by Sea and by Land; and by pretext thereof, to raiſe Forces for the maintenance of that warre: hee counſelled his Majeſtie to call a Parliament in England, yet the ſaid Earle intended, if the ſaid proceedings of that Parliament ſhould not bee ſuch as would ſtand with the ſaid Earle of Stafford miſchievous deſignes, hee would then procure his Majeſtie to breake the ſame, and by waies of force and power to raiſe monies upon the ſaid Subjects of this Kingdome.

And for the incouragement of his Majeſty to hearken to his advice, he did before

his Majeſty and his Privie Councell, then ſitting in Counſell, make a large Declaration, that he would ſerve his Majeſty in any other way, in caſe the Parliament ſhould not ſupply him.

## XXII.

That in the moneth of March, before the beginning of the laſt Parliament, the ſaid Earle of *Strafford* went into Ireland, and procured the Parliament of that Kingdome to declare their aſſiſtance in a warre againſt the Scots. And gave directions for the raiſing of an Army conſiſting of 8000 foot, and 1000 horſe, being for the moſt part Papiſts, as aforeſaid. And confederating with one Sir *George Radcliffe*, did together with him the ſaid Sir *George*, trayterouſly conſpire to imploy the ſaid Army for the ruine and deſtruction of the Kingdome of England, and of his Majeſties Subjects, and of altering and ſubverting of the fundamentall Lawes of this Kingdome.

And ſhortly after, the ſaid Earle of *Strafford* returned into England, and to ſundry perſons declared his opinion to be, *that his Majeſty ſhould firſt try the Parliament here,*

*and*

*and if that did not ſupply him according to his occaſions, he might then uſe his Prerogative as he pleaſed, to Levie what he needed, and that he ſhould be acquitted both of God and man, if he tooke ſome other courſes to ſupply himſelfe, though it were againſt the will of his Subjects.*

## XXIII.

That upon the thirteenth day of Aprill laſt, the Parliament of England met, and the Commons houſe (then being the repreſentative Body of all the Commons in the Kingdome) did according to the truſt repoſed in them, enter into debate and conſideration of the great grievances of this Kingdome, both in reſpect of Religion, and the publike Libertie of the Kingdome; and his Majeſty referring chiefly to the ſaid Earle of *Strafford*, and the Archbiſhop of *Canterbury*, the ordering and diſpoſing of all matters concerning the Parliament: He the ſaid Earle of *Strafford*, with the aſſiſtance of the ſaid Archbiſhop, did procure his Majeſty, by ſundry ſpeeches and meſſages, to urge the ſaid Commons houſe to enter into ſome reſolution for his Majeſties ſupply, for maintenance of his warre againſt

againſt his Subjects of Scotland, before any courſe was taken for the reliefe of the great and preſſing grievances, wherewith this Kingdome was then afflicted. Whereupon, a demand was then made from his Majeſty, of twelve Subſidies, for the releaſe of Ship-money onely; and while the ſaid Commons then aſſembled (with expreſſions of great affection to his Majeſty and his ſervice) were in debate and conſideration of ſome ſupply, before reſolution by them made, He the ſaid Earle of *Strafford*, with the helpe and aſſiſtance of the ſaid Archbiſhop, did procure his Majeſty to diſſolve the laſt Parliament, upon the fifth day of May laſt: and upon the ſame day, the ſaid Earle of *Strafford* did treacherouſly, falſely, and maliciouſly endeavour to incenſe his Majeſty againſt his loving and faithfull Subjects, who had been members of the ſaid houſe of Commons, by telling his Majeſty, they had denied to ſupply him. And afterward upon the ſame, did treacherouſly and wickedly counſell and adviſe his Majeſty to this effect, *viz.* *that having tryed the affections of his people, he was looſe and abſolved from all Rules of government, and was to doe every thing that power would admit, and that his Majeſty had*

*tryed*

*tryed all wayes, and was refuſed, and ſhould bee acquitted both of God and man, and that Hee had an Army in Ireland* (meaning the Army above mentioned, conſiſting of Papiſts, his dependants, as is aforeſaid) *which Hee might imploy to reduce this Kingdome to obedience.*

## XXIV.

That in the ſame moneth of *May*, He the ſaid Earle of Strafford, falſly, treacherouſly, and maliciouſly, publiſhed and declared before others of his Majeſties Privie councell, that the Parliament of England had forſaken the King, and that in denying to ſupply the King, they had given him the advantage to ſupply himſelfe by other wayes: and divers other times Hee did maliciouſly, wickedly, and falſly publiſh and declare, that ſeeing the Parliament had refuſed to ſupply his Majeſty in the ordinary and uſuall way, the King might provide for the Kingdome in ſuch wayes as hee ſhould hold fit, and that he was not to ſuffer himſelfe to be maſtered by the frowardneſſe of the people.

And having ſo maliciouſly ſlandered the

ſaid houſe of Commons, he did with the helpe and advice of the ſaid Archbiſhoppe of *Canterbury* and the Lord *Finch*, late Lord Keeper of the great Seale of England: cauſe to be printed, and publiſhed in his Maieſties name, a falſe and ſcandalous booke, entitled, *His Majeſties Declaration* of the cauſes that mooved him, to diſſolve the laſt Parliament, full of bitter and malicious invectives, and falſe, and ſcandalous aſperſions againſt the ſaid houſe of Commons.

## XXV.

That not long after the diſſolution of the ſaid laſt *Parliament*, ( *viz.* In the monethes of *May and Iune* ) he the ſaid Earl of *Strafford* did adviſe the King to goe on rigorouſly in leavying of the Ship-Money, and did procure the Sheriffes of ſeverall Counties to be ſent for, for not levying the ſhip-money, divers of which were threatned by him to bee ſued iu the Starchamber, and afterwards by his advice were ſued in the Starchamber, for not levying the ſame, and divers of his Majeſties loving ſubjects were ſent for and impriſoned by his advice, about that and other illegall payments.

And

And a great loane of a hundred thouſand pounds was demanded of the City of London, and the Lord Major and the Aldermen and the Sheriffes of the ſaid City, were often ſent for by his advice to the Councel Table, to give an account of their proceedings in raiſing of Ship-money, & furthering of that loane, & were required to certifie the names of ſuch Inhabitants of the ſaid City as were fit to lend, which they with much humility refuſing to doe, he the ſaid Earle of *Strafford* did uſe theſe or the like ſpeeches: *viz. That they deſerved to be put to Fine and Ranſom, and that no good would be done with them, till an example were made of them, & that they were laid by the heeles, and ſome of the Aldermen hanged up.*

## XXVI.

That the ſaid Earle of *Strafford* by his wicked counſell having brought his Majeſty into exceſſive charges without any juſt cauſe, he did in the moneth of Iuly laſt (for the ſupport of the ſaid great charges) counſell and approve two dangerous and wicked Projects: *viz.*

To ſeize upon the Bullion and the Money in the Mint.

And to imbaſe his Majeſties Coine with the mixtures of Braſſe.

And accordingly hee procured one hundred and thirty thouſand pounds, which was then in the Mint, and belonging to divers Merchants, ſtrangers and others, to be ſeized on and ſtayed to his Majeſties uſe. And when divers Merchants of London, owners of the ſaid Bullion, came to his houſe to let him underſtand the great miſchiefe that courſe would produce here, and in other parts, what prejudice it would be to the Kingdome, by diſcrediting the Mint, and hindring the importation of Bullion: he the ſaid Earle told them, that the City of London dealt undutifully and unthankfully with his Majeſty, and that they were more ready to helpe the Rebell, then to helpe his Majeſty: and that if any hurt came to them, they might thanke themſelves: and that it was the courſe of other Princes, to make uſe of ſuch monies to ſerve their occaſions.

And when in the ſame month of Iuly the Officers of his Majeſties Mint came to him, and

and gave him divers reaſons againſt the imbaſing of the ſaid money, he told them that the French King did uſe to ſend Cõmiſſaries of Horſe with Commiſſion to ſearch into mens eſtates, and to peruſe their accompts, that ſo they may know what to levy of them by force, which they did accordingly levie: and turning to the Lord *Cottington* then preſent, ſaid, *That this was a point worthy his Lordſhips conſideration.*

## XXVII.

That in or about the month of Auguſt laſt he was made Lieutenant generall of al his Majeſties forces in the Northerne parts againſt the Scots, and being at Yorke did in the month of September by his own authority, and without any lawfull warrant, impoſe a Tax on his Majeſties ſubjects in the County of *Yorke*, of 8. pence *per diem*, for maintenance of every Souldier of the trained Bands of that County, which ſummes of money he cauſed to be levied by force. And to the end to compell his Majeſties ſubjects out of feare and terrour to yeeld to the payment of the ſame, He did declare that hee would commit them that refuſed the payment thereof, and the Souldiers ſhould bee

ſatisfied out of their eſtates ; and they that refuſed it, were in very little better condition then of high Treaſon.

## XXVIII.

That in the monthes of *September* and *October* laſt, he the ſaid Earle of *Strafford* being certified of the Scotiſh Army comming into the Kingdome, and he the ſaid Earle of *Strafford* being Lieutenant generall of his Mejeſties Army, did not provide for the defence of the Towne of Newcaſtle as Hee ought to have done, but ſuffered the ſame to bee loſt, that ſo he might the more incenſe the Engliſh againſt the *Scots*. And for the ſame wicked purpoſe, & out of a malicious deſire to ingage the Kingdomes of England and *Scotland* in a Nationall and bloody war, he did write to the *Lord Conway* the generall of the horſe, and under the ſaid Earles command, that he ſhould fight with the Scottiſh Army at the paſſage over the Tyne, whatſoever ſhould follow, notwithſtanding that the ſaid *Lord Conway* had formerly by Letters informed him the ſaid Earle, that His Majeſties Army then under his command, was not of force ſufficient to incounter the *Scots*, by which advice of his, he did cõtrary to the duty

duty of his place betray his Majeſties Army then under his command, to apparent danger and loſſe.

All and every of which words, counſells, and actions of the ſaid Earl of *Strafford* traiterouſly and contrary to his allegiance to our Soveraigne Lord the King, and with an intention and endeavour to alienate and withdraw the hearts and affections of the Kings liege people of all his Realmes from his Majeſty, and to ſet a diviſion betweene them, and to ruine and deſtroy His Majeſties ſaid Kingdomes. For which they doe further impeach him the ſaid *Thomas Earle of Straſford* of High Treaſon againſt our Soveraigne Lord the King, his Crowne and dignity.

*FINIS.*

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